GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

ADMINISTRATIVE/BUDGET COMMITTEE

Astor Crowne Plaza New Orleans, Louisiana

August 15, 2016

VOTING MEMBERS

Leann Bosarge.........................................Mississippi
Pamela Dana...............................................Florida
John Greene...............................................Alabama
Martha Guyas (designee for Nick Wiley)....................Florida
Kelly Lucas (designee for Jamie Miller)...............Mississippi
Robin Riechers..............................................Texas
David Walker..............................................Alabama

NON-VOTING MEMBERS

Kevin Anson (designee for Chris Blankenship)............Alabama
Doug Boyd...................................................Texas
Leo Danaher..................................................USCG
Dale Diaz....................................................Mississippi
Dave Donaldson..............................................GSMFC
Myron Fischer (designee for Patrick Banks)..............Louisiana
Tom Frazer...................................................Florida
Campo Matens..............................................Louisiana
John Sanchez..............................................Louisiana
Andy Strelcheck (designee for Roy Crabtree)............NMFS
Greg Stunz.................................................Texas
Ed Swindell.................................................Louisiana

STAFF

Steven Atran..............................................Senior Fishery Biologist
John Froeschke.................................Fishery Biologist – Statistician
Douglas Gregory................................Executive Director
Beth Hager..............................................Administrative Officer
Karen Hoak.............................................Administrative & Financial Assistant
Mara Levy...............................................NOAA General Counsel
Emily Muehlstein.............................Fisheries Outreach Specialist
Bernadine Roy.................................Office Manager
Camilla Shireman.................................Administrative Assistant
Carrie Simmons....................................Deputy Director

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Pam Anderson..............................................Panama City, FL
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Derek Breaux.............................................New Orleans, LA
Chester Brewer..................................................SAFMC
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PAGE 27: Motion to recommend that the council merge the Habitat
and Artificial Reef Committees into a single Habitat Protection
and Restoration Committee. The motion carried on page 28.

PAGE 28: Motion to recommend that the council divide the
current Sustainable Fisheries and Ecosystem Committee and form a
Sustainable Fisheries Committee and an Ecosystem Committee that
contains the subject areas of Marine Reserves, Ad Hoc
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PAGE 33: Motion to accept the language as proposed in the
Administrative Handbook, 3.0 Compensation Policies, Section 3.4
Merit Awards. The motion carried on page 34.

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The Administrative/Budget Committee of the Gulf of Mexico Fishery Management Council convened at the Astor Crowne Plaza, New Orleans, Louisiana, Monday morning, August 15, 2016, and was called to order by Chairman Leann Bosarge.

ADOPTION OF AGENDA
APPROVAL OF MINUTES
ACTION GUIDE AND NEXT STEPS

CHAIRMAN LEANN BOSARGE: First up this morning is our Administrative and Budget Committee. To remind everybody, we have myself, Dr. Lucas, Dr. Dana, Johnny Greene, Robin Riechers, David Walker, and Martha on our committee this morning.

Let’s start with our agenda. We have a pretty full agenda this morning. It’s going to be a thrilling committee for Administrative and Budget, so hold on to your seats. Do we have any additions or revisions to make to the agenda? Seeing none, do I have a motion to approve the agenda?

MR. JOHNNY GREENE: So moved.

CHAIRMAN BOSARGE: So moved by Johnny. Do we have a second? It’s seconded. All right. Any opposition to the motion? Seeing none, the motion carries. Our committee minutes from our last meeting are under Tab G, Number 2. Were there any revisions or amendments to those minutes from our last meeting? Seeing none, the minutes stand approved.

The Action Guide and Next Steps is Tab G, Number 3, and it’s actually very detailed, and I think it will do a good job of kind of leading us through this and keeping us on task. With that, our first item of business is going to be the Final 2014 No-Cost Extension Expenditures, and I believe Beth is going to lead us through that. You can find it under Tab G, Number 4(a) in your briefing book. Beth, I will turn it over to you.

FINAL 2014 NO-COST EXTENSION EXPENDITURES
SUMMARY OF 2014 NO-COST CONTRACTS

MS. BETH HAGER: Good morning. In looking at Tab G, Number 4(a), we have a detail of the 2014 initial budget, the 2015 expenditures, and then the additional 2016 expenditures. We expended $122,700 during 2016 for the 2014 no-cost activities.

The activities included expanding the meeting room and office space in the Tampa office, bringing the CMP Amendment 26 to final action, hiring an EFH Specialist, promoting the discussion
of the establishment of habitat areas of particular concern, convening the Spiny Lobster Review Panel, and completing the contracted no-cost projects. The planned standardized bycatch reporting activities were not completed, because the policy wasn’t finalized.

Overall, our total funding for the 2010 to 2014 award was $17,338,000. We anticipate returning less than 1 percent, approximately $166,000, in the end for that period in unexpended funds.

CHAIRMAN BOSARGE: Thank you, Beth. Did anybody have any questions for Beth or in general about our no-cost extension? I had one question, Beth. The contractual line item for 2015, that $411,000, was there something big that we did right there that was the bulk of that?

MS. HAGER: We did. We had the build-out, which cost an additional amount. We had to move a very large electrical sub-panel. That was an additional $20,000 even from the original budget of the no-cost, but we saved those expenses in not spending the personnel costs. Between the two line items, we balanced out in the end or actually a little underspent.

CHAIRMAN BOSARGE: Sounds good, and I think that’s going to be a good investment for us in the future, going forward, to save us some funds.

MS. HAGER: Yes, we were able to increase our seating capacity by 36 percent.

CHAIRMAN BOSARGE: All right. Thank you. I appreciate it. Any other questions for Beth? All right. Beth, I’m going to let you continue. We are going to go to Tab G, Number 5(b), which is our Review of the Revised Budgets for 2017 through 2019, and we do have some -- Doug.

EXECUTIVE DIRECTOR DOUG GREGORY: We can come back to this, but did you want to -- We were prepared to give a summary of some of the no-cost contracts that we did with the 2014 money, which also came out of the contractual line item.

CHAIRMAN BOSARGE: Yes, definitely, because that was actually the really thrilling part about this meeting. I read that last night, and it was very interesting, and so go ahead.

FINAL REPORTS OF 2014 NO-COST CONTRACTS
EXECUTIVE DIRECTOR GREGORY: I hope we didn’t keep you awake, but the final reports of these contracts are in the briefing book. We are not going through that, but Dr. Simmons is prepared to give a summary of the different contracts.

DR. CARRIE SIMMONS: Good morning, everyone, and thank you. The summary is in Tab G, Number 4(b), and some of the projects that were funded was the use of barotrauma mitigation measures in the Gulf of Mexico grouper fishery. They used fish-descending devices. They are effective and practical tools used to reduce release mortality, and the project assessed barriers to adoption of fish-descending devices that would be used by Sea Grant to develop outreach strategies to increase their use.

We also funded the Marine Resource Education Program. We contracted with the Gulf of Maine Research Institute to fund a three-day management workshop in 2015. We also worked with the Gulf States Marine Fisheries Commission to develop a web-based tool for the U.S. Gulf of Mexico state and federal fisheries management regulations. That tool is not yet on our website. We are still working on it with the staff, and we hope to have that up towards the end of the year.

It’s going to include various species and search engines that you can search by common name and scientific name. It also allows queries for the state and federal sector and commercial and recreational, where applicable, and so that should be helpful, and our staff is going to help maintain that and try to keep that updated and host that on our website. That is still going on, and so hopefully that will be posted here towards the end of the year.

We also funded the social network analysis of the red snapper and grouper-tilefish IFQ programs. Using social network analysis, this project produced a series of visualizations of share and allocation transactions made by participants in the Gulf of Mexico IFQ programs. The result of this project, we’re planning to use to better describe the social environment and to inform the analyses in the grouper-tilefish IFQ program, the five-year review that’s currently being worked on, as well as Reef Fish Amendments 36A and 36B, and we will be talking about 36A tomorrow. It’s on the Reef Fish Committee agenda.

The other project, similar, but done by a different group, was measuring fleet efficiency gains from IFQ programs using social network analysis, and they wanted to more closely examine the IFQ trading in the commercial Gulf of Mexico reef fish program and look at the mechanisms of participants trading quota and how
the quota and dockside markets influence each other.

This project too will contribute to the socioeconomic analysis of potential effects expected from the changes to those IFQ programs the council is currently working on in Amendment 36A and 36B. That concludes my report. Thank you.

CHAIRMAN BOSARGE: Thank you, Dr. Simmons. I actually got into the Tab G, Number 4(c), where it goes through some more of the details of some of these projects, and I think that we did a really great job of taking these funds and using them for things that can be very beneficial for the work that we do around this table. I know that I have bothered NMFS to get some of those historical facts on bag limits and this and that for certain species before, back into time, and so that will probably save somebody a lot of heartache if that was in a database somewhere that I could query publicly, and so kudos to -- That’s kind of a federal -- That’s our council and the commission together, right, working on that, and so I like that.

The other thing that I thought was kind of interesting is some of the analysis for the IFQ programs. Hopefully that is going to be able to come back and supplement some of our discussion as we go through the IFQ review process some more, and so that’s good.

The Marine Resource Education Program, I did attend the first half of that, the science side of that, a couple of years ago, I guess, and I thought it was an excellent program, and so I hope they continue with that.

Then the barotrauma mitigation measures, I thought it was very interesting that only 10 to 25 percent of fishermen have actually used venting tools and descending gear. They are very familiar with the venting tools, but not so much the descending gear. Essentially, what makes it successful is the social norm or the pressure there for the fishermen to use it.

That was pretty interesting, and I hope we can get some more information on some of these in the future, when we see that there’s a need for it and we can fit it into our documents that we have in front of us, and so that was our thrilling conversation for the committee, guys. Doug.

EXECUTIVE DIRECTOR GREGORY: I will be real brief. In the barotrauma report, it did mention that they surveyed the fishermen and the fishermen wanted to see more regulations on this. Now, real quickly, we used to have a regulation that
required venting tools to be used. We did away with that in order to allow descending devices to be used as well, but when we removed the venting tool regulation, it gave some people the impression that we did it because it wasn’t effective.

I think, within Reef Fish at some point, we ought to consider having a regulation that requires them to have a venting tool and/or descending devices on the boat. Not necessarily require they have to be used, but let people use the discretion of when they’re appropriate to use, but have it required to be on the boat, so we don’t send that mixed message that we did a couple of years ago.

CHAIRMAN BOSARGE: Dr. Stunz.

DR. GREG STUNZ: Just briefly, and thank you for allowing me to address your committee. I have a follow-up on Doug Gregory’s comment. I think that time is appropriate. There is a lot of groups all around the Gulf, from Florida all the way out to Texas, working with these devices and showing real promise, and I am aware of what happened in the past and all the issues, but a lot of work on -- Of course, this was about grouper, but red snapper, where I think the time is coming to showing that there is real utility in using these devices.

It takes us a while to get things going, and those reports, I can’t imagine, won’t be coming out within the next year. They’re pretty much conclusively showing that there is real value in it, and so I think moving forward on that in the future would be good.

CHAIRMAN BOSARGE: Thanks. Hopefully we can add that to our agenda at some point in the future, because I really did find it very interesting, especially the part about the social norms and just the lack of the anglers out there that had ever even used the descending devices as a tool, and so I think that’s something we should explore, and that’s a good idea to require it on the boat, but not necessarily the use part, because there is some discretion there as to when you would use this and when you wouldn’t. If the social norm is the actual pressure, then just the sheer regulation to have it on the boat may be enough, and so good comments. Any other comments on the different contracts? Okay.

That will take us to Item Number V on the agenda, which is the Review of the 2016 Expenditures and Revised Budgets for 2017 through 2019. We have had some changes here, things that have been happening in D.C., and so pay attention and hopefully we
can get some good feedback on this. Beth, I’m going to let you
lead us through it, please, ma’am.

REVIEW OF 2016 EXPENDITURES AND REVISED BUDGETS FOR 2017-2019

REVIEW OF 2016 EXPENDITURES

MS. HAGER: Thank you. Looking at Tab 5(a), this is our usual
quarterly statement that we produce for our financials, to show
our expenditures for the 2016 administrative funds as of June
2016. Overall, our total expenditures to date are very close to
our expected balance. They are at 48 percent.

Really, the only area of significant deviance overall is in
contractual services. Our activities in this area haven’t
changed at all from what we originally budgeted, but the overall
funding decrease from NOAA -- The overall funding increase was
only 3 percent, which was less than we originally projected it
to be. That, combined with the increase in the state liaison
funding, creates this deficit in the budget line of contractual
services. That is pretty much all of the detail that we have
summarized at this point for this.

CHAIRMAN BOSARGE: All right.

REVIEW OF REVISED BUDGETS FOR 2017-2019

MS. HAGER: Do we have any questions? If not, I will go on to
5(b). This table shows our original five-year budget. At the
bottom, with our cumulative expenses, are surpluses and
deficits. Our total five-year budget originally was
$20,829,800. Then, based on our most recent information from
NOAA, we anticipate funding of only $18,727,000. The total
decrease here is over $2 million.

We revised our projections for 2017 through 2019, based on our
planned activities and our actual activities that occurred in
2015 through 2016. A significant impact in our original budget
was the removal of one position in 2017, to try and create some
additional savings. Due to some savings from the 2014 no-cost
activities in 2015 and 2016, we do expect to have our
expenditures hopefully very coming very close to our actual
funding by the end of the five-year award. We’re within about
$100,000, which is where we wound up for the 2010 to 2014 award
at the very end, a little tighter to budget. We are just
continuing to try and keep an eye on our projections going
forward.

CHAIRMAN BOSARGE: Thank you, Beth. Maybe we should back up and
go to our action guide and next steps and give you a 30,000-foot view of what Beth was just telling us. Essentially, we had been informed to project, and, Doug, correct me if I’m wrong, but project at a 10 percent increase per year of our budget. When we went to the CCC meeting in May, it turns out that that really is going to be more like a 3 percent increase per year, and so we had a budget that was based on a 10 percent increase, and we need to back that down to a 3 percent increase.

I think staff has done a good job of trying to tighten up, wherever possible, but our job around this table is to be aware that we are not in the same situation that we were, or that we thought we were, last year and that we have some carryover from some years past that’s going to allow us to absorb some of this, but we’re going to have to find a way to tighten our belt a little bit somewhere. Doug, do you want to chime in on this at all?

EXECUTIVE DIRECTOR GREGORY: We really don’t know from year to year how much funding we’re going to get. Like you said, Ms. Chairman, we were projecting a 10 percent increase. That’s what we were told by NOAA when we did the five-year budget. We noticed in 2016 that we only got a 3 percent increase. At the CCC meeting, I raised the issue, and we were told to probably expect something like a 3 percent increase rather than a 10 percent.

We immediately came back and redid the five-year budget, just to see where we were. Now, as we go forward, we’re going to bring to you, say in April, the annual budget for 2017 for your approval, and so we don’t need approval for this projection, but we just wanted to give everybody a heads-up of what’s happening. We’re going to have actual budget deficits in the next three years, and we will have to just take it year-by-year and see how we do.

We did drop a position that we had planned to have in the five-year budget. We still have two positions, an ecosystem position and a social science position, for 2018 and 2019 that are still in the budget, but, by dropping that one position, we were able to get into a cumulative positive area. The thing that has impacted this has been the increase in liaison funding that was made by the council after we developed and submitted the five-year budget, and so that’s a part of the impact here. That’s all I have.

CHAIRMAN BOSARGE: Robin.
MR. ROBIN RIECHERS: Doug, I certainly understand the fluidity of the budget and that you guys had already planned for a 10 percent and now are told 3 percent, but we’re going to, as you suggest, in April have to approve a budget, and I think, as a governing body that obviously needs to be looking at your budgets, and I get that we have carryover and those sorts of things, but I would hope that between now and then we have some more detailed plans as to how we’re going to turn red numbers to black numbers, or at least be a little closer in that respect.

That would just be my word of caution as we think about moving forward, and I understand it is a year-to-year process, but we also, if we’re thinking three and five years out, we also need to have some sort of plan to reconcile those differences as we move forward.

EXECUTIVE DIRECTOR GREGORY: I think we’re on a reasonable trajectory now. If we hadn’t been able to use the 2014 no-cost extension money, which gave us, I think, almost $700,000 in surplus -- That’s going to pay for the future annual deficits. If things change, we will certainly bring it to the attention of the council, but, right now, it looks like everything is going to balance out.

If we come in with an annual budget that has no deficits, we will end the five-year grant with that $700,000 surplus, much like we did the last grant, and then have to ask for another no-cost extension if we want to use it for future things. I mean it’s like money in the bank, in a sense, but we have five-year grants.

There is no guarantee that we will be allowed to have no-cost extensions in the future. We’ve been able to do it twice, and so I’m not uncomfortable expecting it, but that’s something we can discuss with the budget next year, and, if the council wants us to not have any deficit in the future years, then we will just make those adjustments.

MR. RIECHERS: I heard two things in your comments, Doug. Is that $700,000 carryover reflected in this current projected budget, because it sounded like you suggested that if it were reflected that we wouldn’t have the deficits.

EXECUTIVE DIRECTOR GREGORY: Look at the bottom of that table. Can you scroll down and show the bottom, where I have estimated annual and cumulative surpluses and deficits?

MR. RIECHERS: You’ve got the $108,500 there.
EXECUTIVE DIRECTOR GREGORY: That’s where we expect to end up, with a surplus of $108,000, but that’s pretty thin, given the five-year budget of $18 million.

CHAIRMAN BOSARGE: All right. Any other comments from the group, from the committee? Okay. We will move on to Item VI, which is our Review and Approval of the Updated Regional Operating Agreement with NMFS, and I think Dr. Simmons is going to take us through this.

REVIEW AND APPROVAL OF THE UPDATED REGIONAL OPERATING AGREEMENT WITH NMFS

DR. SIMMONS: Thank you, Madam Chair. I think we talked about this a little bit about this in the full council in June. We reviewed this at the Council Coordinating Committee, during the summary review report. The 2015 Operational Guidelines were updated, and that made us need to update also our Regional Operating Agreement.

The purpose of the Regional Operating Agreement is to confirm mutual responsibilities of the Gulf Council, the Southeast Regional Office, the Southeast Fisheries Science Center, and NOAA General Counsel in the Southeast Section for the development and preparation of interagency fishery management actions that address the needs and requirements for conservation and management of the nation’s fisheries.

Some of the changes that were made in our updated Regional Operating Agreement are we added a new Section 5, Ongoing Management. That changed the structure a little bit. That is new compared to the previous draft of our operational agreement. We also parsed out and better defined the Section 4, Post-Council Action, to recommend a Measure A, preparation for transmittal, and, B, secretarial review and implementation.

I worked closely with Ms. Gerhart and Mara Levy and Jack McGovern at the Regional Office to try to get this updated the best we could. The Science Center has not had a chance to review it and provide any comments yet to this.

I asked Dr. Ponwith to get those back to us hopefully the week after the council meeting, because we have to submit this in September with all of the signatures, and so I assume everybody will have one final review and then we will get the signatures and be able to submit it, but probably we need to have the council make a motion, if they’re in agreement to those changes,
that they would approve this new updated Regional Operating Agreement. Thank you.

CHAIRMAN BOSARGE: All right, committee. Does anybody have any questions or comments for the changes that were made to the Regional Operating Agreement? Does anybody have any qualms? Robin.

MR. RIECHERS: Carrie, I sense you’re asking us to approve it before we see the changes, if there are any, from NMFS.

DR. SIMMONS: The Southeast Regional Office has made changes, but we have not seen any changes from the Science Center yet, and we don’t know if we’re going to receive changes from the Science Center, but they did not have time to look at it before this council meeting. We can ask Dr. Ponwith when she gets here if she does have any changes.

CHAIRMAN BOSARGE: Robin.

MR. RIECHERS: I would suggest just that we wait to take action either until they’ve had a chance to review those and we see any changes that may have been incorporated into the document or any suggestions, or, if Dr. Ponwith brings those with her and they are minor and we can deal with those, then we can deal with that at at full council.

CHAIRMAN BOSARGE: Dr. Simmons and then Andy.

DR. SIMMONS: We can try to get that from her as soon as possible. The problem we have is I believe we’re under a deadline to resubmit this. I don’t know if it’s at the end of September or September 15. I would have to look at the deadline again, but it’s before our next council meeting, I believe.

MR. ANDY STRELCHECK: My understanding is the changes we made were fairly minor in nature. Bonnie will be here late this morning. Her flight was delayed, and so we can talk to her then about any changes that the Science Center wants to make.

CHAIRMAN BOSARGE: Mara.

MS. MARA LEVY: Thank you. Essentially, it’s restructuring it a little bit in terms of what’s in the sections, based on the changes to the Operational Guidelines that came out in 2015. In terms of substance, about how the council and NMFS and the Office of General Counsel and the Science Center interact with each other, nothing is really different. It just fleshes it out
in a little bit of a different way, and, when we looked at it in GC, we clarified a little bit of what GC’s roles were, because GC plans on signing this version of it, but essentially, it’s the same.

One thing you could do is wait to talk to Bonnie and then potentially make a motion to accept it as it is in the briefing book and have the Council Chair look at any potential changes from the Science Center. As long as those are deemed by the Council Chair as editorial or non-substantive-type changes, the Council Chair could potentially speak for the council and approve it, so that it can get signed. That’s an option you could think about.

CHAIRMAN BOSARGE: Dr. Simmons.

DR. SIMMONS: Thank you, and I think that’s fine. I would just remind you that it’s just to lay out our agreement, to be open and transparent for the public and for all agencies involved in how our process works. It is not a binding agreement. It is considered a living document, and so I think that was within reason with what Ms. Levy recommended that the council do. That sounds good.

CHAIRMAN BOSARGE: All right. We have two options. We can essentially wait for Bonnie to arrive and have some conversations with her and possibly make a motion during the committee report at full council, or, if the committee is comfortable, they can make a motion to approve it and give the Council Chair the ability to make any revisions or edits as necessary. I will leave it up to the committee. What’s your pleasure? Robin.

MR. RIECHERS: I already said how I thought we should handle this, and so I am going to leave that alone. I will ask Doug a question regarding content here though. Doug, we have had some discussions about IPT and IPT processes in the past, how well they’ve worked and how well they haven’t worked, from time to time.

A lot of this spells this out in this document, and so I would ask you. Have you all, as a council staff, have you looked in this document to specifically address some of those issues with what is written here?

EXECUTIVE DIRECTOR GREGORY: Yes, and all the technical staff had input on this. It’s a cumbersome process, but all the technical staff are comfortable with it. I’ve had some concerns
when I first got here, and I have talked to them about it. It’s
much more cumbersome than what I used to have to deal with, but
NEPA is a bigger part of the process. It produces more
approvable documents, in the end, and so, yes, the staff is very
comfortable with the current process.

CHAIRMAN BOSARGE: All right. Hearing nothing else from the
committee, I think we will leave that to our committee report at
full council to possibly make that motion. If there is nothing
else on the Regional Operating Agreement with NMFS, we will move
on to our Discussion of SSC Members also being a State Designee,
and I believe that Doug Gregory is going to lead us through that
discussion.

DISCUSSION OF SSC MEMBERS ALSO BEING A STATE DESIGNEE

EXECUTIVE DIRECTOR GREGORY: Thank you, Madam Chair. This will
be Tab G, Number 7. What I did with this was excerpt the SSC
verbatim minutes for this, because the SSC did not make a motion
on this topic. It was just simply a discussion.

To summarize, some of the SSC members had strong feelings on
this, thinking it was a conflict of interest. One SSC member, who
had served on a council, and not this one, but a different
one, and was an SSC member felt that he had no sense of a
conflict of interest, but he was not a state designee. He was
an academician. You just have the verbatim minutes here. I
think the general feeling from the SSC was that they would
probably not be comfortable with such a situation, but, again,
they made no specific motion.

CHAIRMAN BOSARGE: Dr. Lucas.

DR. KELLY LUCAS: I think, from what I understand, was, as the
question originally came up, maybe that specific incident has
been resolved, possibly. I think it was Louisiana who brought
it up, and I will let them speak to that, but, if that has been
resolved, we may just want to consider adding something or
clarifying something in the SOPPs for future reference, just so
if it does come up again that it’s covered.

CHAIRMAN BOSARGE: Patrick.

MR. PATRICK BANKS: The issue is moot at this point for
Louisiana.

CHAIRMAN BOSARGE: Robin.
MR. RIECHERS: Since the issue is now moot for Louisiana, and, in practicality, the way we’ve handled it in the past, it was the assumption that you couldn’t do it. If we do need to put that in the SOPPs, then I would just recommend that we add a clause to the SOPPs and just go with our past interpretation of what that was. At least that would be my preference and/or opinion. Madam Chair, if you need a motion, I can certainly do that.

CHAIRMAN BOSARGE: Yes, I think we would need a motion in order to accomplish that.

MR. RIECHERS: I would move that we make a change to the Standard Operating Procedures to indicate that members of the SSC cannot be members of the council, and I will leave obviously some editorial license here for that motion, but I believe that’s basically the intent of the motion. Where that places in the SOPPs and how that’s worded, I will leave that up to drafting person.

CHAIRMAN BOSARGE: We have a motion. Do we have a second to the motion? It’s seconded by Johnny. Robin, will you take a look and make sure that is your motion and then we will have some discussion?

MR. RIECHERS: I guess it would be better worded just to say cannot serve as a member of the Gulf Council, whether it’s a proxy or in any way, probably to be a little bit cleaner. Then I will have a little discussion, if we make that change.

I mean we’ve talked about this a lot, at the last meeting, I believe it was, or maybe two meetings ago. I say talked about it a lot, but we talked about in this committee at that time. Again, it’s the whole issue of conflict of interest. It’s the whole issue of basically voting on something you may have voted on as an SSC member.

While I do believe people could be objective in their deliberations about that, I just believe that the optic of it sends the wrong message, as we both appoint SSC members and then we also have people sitting at the council table, and so I think it’s just cleaner if we keep the two separate. The SSC provides us some review of science along the way, along with some other scientific bodies, and then we reach a point where the council deliberates those science bodies and creates policy, and so that’s kind of where I am on the issue, and certainly I think this just cleans that up in the SOPPs, and, again, basically it leaves us at the position where we were at before in
interpretation.

CHAIRMAN BOSARGE: Okay. Mara and then Myron and then Dr. Stunz.

MS. LEVY: Just a suggestion that I think it should be the opposite way, meaning the council doesn’t have any way to say who can serve on the council, but you can say that members of the council cannot be appointed to the SSC.

CHAIRMAN BOSARGE: Robin, would you be okay with that friendly amendment?

MR. RIECHERS: I’m okay with that. But, in this case, it was a member of the SSC who was wanting to -- It was Louisiana wanting to have a member of the SSC who was already a member sit on the council, and so, Mara, walk us through that technically. However it works, I’m fine with the motion.

MS. LEVY: I think the result of that is Louisiana can put any designee they want, or have any state official they want who meet the requirements serve. The result of that would be that person would no longer be eligible to be on the SSC.

MR. RIECHERS: At the moment they send the letter designating them officially, then they’re removed from the SSC?

MS. LEVY: I think if we made clear that anyone who is serving on the council as a designee or whoever can’t be on the SSC that would be what would happen.

MR. RIECHERS: Given Mara’s suggestion, it seems like we flip this to indicate that members of the Gulf Council cannot simultaneously serve as members of the SSC, and is that correct? Okay. In effect, Mara, what would happen then is they would basically resign their position on the SSC and could reapply the next time the SSC is appointed, but the simple fact is, from that point on, until that reapplication period, they would be removed from the SSC.

CHAIRMAN BOSARGE: All right. Good discussion. Now we have Myron and then Dr. Stunz.

MR. MYRON FISCHER: Thank you, Madam Chair. My question was just verbiage and asking Robin -- Wouldn’t you mean members or designee, because I’m a designee and Leann is a member.

MR. RIECHERS: Thank you, Myron. I thought I had maybe said
proxies as well, but members/designees is probably the appropriate language here, yes.

CHAIRMAN BOSARGE: Dr. Stunz, before I get to you, can I just make sure that our seconder is okay with all the friendly amendments we’re making here? Okay. Johnny is all right. Dr. Stunz.

DR. STUNZ: Thank you, Madam Chair, for letting me address your committee, not being on it. I just wanted to comment, since I was actually named in the minutes of that discussion as being one of the people that fell into this category, and certainly I just felt it was a sense of protocol that you resign from -- You shouldn’t serve both, and so I wanted to follow up that I am not voting on this, but I would support this in full council.

There is a big difference, having done both, in what you do here and the decisions you make versus the decisions you make as a scientist, which shouldn’t, theoretically, involve any external factors other than the best science, and so, while I don’t have the appearance that that would or has been going on, it just doesn’t seem right, and so I would recommend that we follow this and go with keeping them separate.

CHAIRMAN BOSARGE: Ed.

MR. ED SWINDELL: Thank you, Madam Chair. I’m not a member of the committee, but it seemed like this should also apply to advisory panels. Would that not suit the same purpose?

CHAIRMAN BOSARGE: Good comment. Do we have a protocol for that at the moment? Have we ever had an instance of that, where a council member was simultaneously serving on an AP, or is that kind of an understood rule?

EXECUTIVE DIRECTOR GREGORY: I think what we’ve been doing is, if someone became a council member, they just dropped off the AP. It wasn’t in the SOPPS, but it was just kind of an unwritten protocol. We have got some people that have been in that situation, and so I mean it would fit here.

CHAIRMAN BOSARGE: Dr. Stunz.

DR. STUNZ: Ditto from what I just said. Having served on several APs, from Artificial Reef to Data Collection, you obviously get your say here, and so I understood that you were automatically off, but I don’t know if we need any specific verbiage to that.
CHAIRMAN BOSARGE: Mr. Atran.

MR. STEVEN ATRAN: We do have one situation, which we’ve been discussing on staff, on our Law Enforcement Technical Committee. This is a technical committee and not an AP, but where Lieutenant Commander Danaher -- He would serve on the Gulf State Commission’s LEC, but, at the moment, our feeling is he would not serve on the Gulf Council’s LETC, and so those two groups are identical except for that one change, but, because he is a member of the council, albeit a non-voting member, our feeling, at the moment, is that he probably would not be appropriate to serve as a member of the LETC.

CHAIRMAN BOSARGE: Doug and then Robin.

EXECUTIVE DIRECTOR GREGORY: Steven, that’s the way we’ve been operating, is it not?

MR. ATRAN: That’s the way we’ve been operating, but, recently, we’ve been trying to sync up the two committees. We have had some differences on who the U.S. Fish and Wildlife Service member is or members, and so we’ve been trying to make sure that, as much as possible, their LEC and our LETC are the same people, and they are pretty much right now, but this is the one exception.

CHAIRMAN BOSARGE: Robin.

MR. RIECHERS: Ed, I fully agree with you, basically. I will ask the Chair whether you want to continue to amend this motion or whether you would like a different motion. I think two points that I brought up there. One is that you could make it voting members or specifically say voting or non-voting members, so that we cover that law enforcement issue, and add AP panels. Again, whether you want to dispense of this motion and add another one, it’s up to you, Madam Chair, and certainly up to the seconder as well.

CHAIRMAN BOSARGE: I think we will dispense of this motion first. I think that really the conversation that we’ve had here, it sounds like we have some unwritten rules that follow behind this for APs and other things, and I am sure that, as you go through the SOPPs and begin to make these changes, that you will bring the changes back to us, and so I think that you could move forward just with this conversation and bring the changes back to us, and we will make sure that we did capture all of this conversation. We have a motion on the board. Is there any
more discussion on the motion? Is there any opposition to the motion? Seeing none, the motion carries.

If you want to follow it with another motion specifically for the AP, if that makes you comfortable, you can, but I think we’ve had a lot of discussion about it.

MR. RIECHERS: I’m fine, Madam Chair. I am assuming the changes will reflect those as well, Doug, or at least bring them back as options?

EXECUTIVE DIRECTOR GREGORY: Yes, and we’re not going to actually make any formal changes to the SOPPs and publish it without bringing it back to the council to look at the wording.

CHAIRMAN BOSARGE: Okay. Our next agenda item is the Discussion of Council Committee Assignments. This is going to be Tab G, Number 8 in your briefing book, and Doug Gregory is going to lead us through this discussion.

DISCUSSION OF COUNCIL COMMITTEE ASSIGNMENTS

CONSIDER MAKING COMMITTEE APPOINTMENTS EFFECTIVE AT BEGINNING OF OCTOBER COUNCIL MEETING

EXECUTIVE DIRECTOR GREGORY: The first part of this is a suggestion. We have a situation where we have new council members appointed in July. They come to the August meeting and they’re not on a committee. Usually, in August, we select a new Chair. Between the August meeting and the October meeting, the Chair makes draft committee assignments that the council then approves in October, but the council meeting is after the committee meetings in October, and so the new council member really doesn’t get to serve on a committee and vote until January.

What I am suggesting here is that the council consider convening immediately on Monday morning for the sole purpose of making committee appointments and then recess and have those committee meetings and then reconvene on Wednesday like we typically do. That way, the new council member can start voting in committee and be on the committee beginning in October, rather than January.

CHAIRMAN BOSARGE: Robin.

MR. RIECHERS: Doug, do you anticipate that the current Chair will just choose where those committee assignments are or would we be more specific and say they will take any committee
positions that their previous designee or the person who they are coming in for will -- They will take those assignments?

EXECUTIVE DIRECTOR GREGORY: Since most of the appointments are made in July, between August and October, the new council member could communicate with the Chair, just like everybody else does, of what committees they want to serve on. The only kind of hiccup with this that has been brought to my attention was we work closely with committee chairs in developing our agenda for the upcoming meeting.

Let’s just take Administrative/Budget. In October, we would work with the existing committee chair to develop the agenda, but then, at the beginning of October, the committee chair will change, and I know how we have a large briefing book. Some people read the material they’re the chair of the committee of maybe more closely and get prepared for that committee than they might some other committee, and so whoever is appointed the chair at the beginning of the council meeting in October may not have had time to fully prepare for that particular committee in October. That’s the only small hiccup that we see with this. Otherwise, this simply allows new council members to start voting on the committee in October instead of in January.

MR. RIECHERS: I didn’t get hung up on the new committee chairs, because that’s as it is today. I guess what I’m trying to figure out is so new members -- What you suggest to me is that new members would be polled as to their placement on committees and the Chair would take that under advisement and come forward with a slate of where they would fill them in, considering all aspects of the past committee allotment, basically geographic distribution and expertise and all the things that would go into any of those committee assignment decisions that would occur.

Then the next meeting then, there would be a new chair and whatever committee that person was on for that time, they will have another opportunity to say where their areas of expertise are or where they would like to be and then get slotted in, however the new Chairman would then decide.

EXECUTIVE DIRECTOR GREGORY: Right. It’s exactly as we do it now between August and October, but it’s just the committee assignments are made at the beginning of the October meeting rather than after the committees have met, that’s all. I mean it’s a little more complicated, but it seemed to me that it was a way to streamline the process to get the new council members onboard in a more active voting role one meeting sooner.
MR. RIECHERS: I just caught your difference, and I apologize. It was the October as opposed to the August. I thought you were going to come in August and we were going to place people, but it’s October. I’ve got it.

CHAIRMAN BOSARGE: Dr. Simmons and then Martha.

DR. SIMMONS: Thank you, Madam Chair. Just, very quickly, the way we’re currently doing it now is we’re under the same committee structure until January, and so the difference would be a change starting in October compared to January. Thank you.

CHAIRMAN BOSARGE: Martha.

MS. MARTHA GUYAS: I think this is fine. It seems like, when we break from the August meeting, we have a new Chair. That Chair can get to populating the committees pretty quickly and put the list out there that, hey, you’re going to the chair of whatever committee, and so it seems like it would be not a big deal, to me anyway, but I don’t know.

CHAIRMAN BOSARGE: Kevin.

MR. KEVIN ANSON: Just to follow up with what Doug said, what I’ve done the last couple of years is send an email out to all the members asking what their preferences were for committee and then if they had a desire to serve as chair or vice chair on that particular committee. Some committees had maybe one of each, and so it wasn’t too hard of a decision in moving forward, but others had multiple people that expressed interest in the chair or vice chair position.

Maybe, as Doug was saying, in the interest of making sure that those particular people are well-read on the subject for that particular committee, is that a tentative list is developed, if you will, and then the members, if there are multiple members, or even if there’s only one member for each position, is to let them that know, that, hey, you could be tapped as the next chair and so be prepared. Then it comes to the council and they vote and the final decision is made as to who populates the various chair and vice chair positions.

CHAIRMAN BOSARGE: All right. In general, I think this is a good idea. That really gets the new member or designee or whoever it is onboard and voting sooner and in the conversation. I should have backed up. We invite any -- If you want to make comments or you have input on anything that we discuss, please, you are more than welcome to raise your hand and we will call on
you, but I think this gives them a more active role sooner in
the process.

It gives them the August meeting to kind of listen to some of
the different committee conversations and get a better feel for
what committees they are the most interested in, if they didn’t
already know, but then, in October, they can hit the ground
running, and so I think it’s a good idea. It sounds like
there’s a few little logistics, but they don’t seem to be too
hard to work out, and so, Doug, do you need any sort of motion
on this or is the discussion enough?

EXECUTIVE DIRECTOR GREGORY: If the council is willing to try it
this year and see how it works, we will schedule the October
meeting that way and go from there.

CHAIRMAN BOSARGE: Is there any heartache with the committee on
trying out something like this? I don’t see any heartache, and
so it sounds like we can give it a shot. Anything else on that
agenda item?

CONSIDER MERGING SOME COMMITTEES

EXECUTIVE DIRECTOR GREGORY: Yes, the other thing was, in
looking at some of the administrative and management committees
and the frequency of when they met, and this is in the document
itself. We researched when the committees were formed and how
often they met and what they were addressing.

I would like to suggest for the council to consider combining
the Artificial Reef Committee in with the Habitat Committee and
continue with the Habitat Committee. The Habitat Committee was
probably one of the first committees formed by the council in
the late 1970s, and so it has a long history. It now includes
looking at essential fish habitat and it seemed like Artificial
Reef, which hadn’t met in a while, would fit under that
committee.

The other suggestion is to consider separating sustainability
and ecosystem. On the surface, they sound very similar, but the
sustainability fisheries part of that was really strictly
dealing with the technical aspects of creating ACLs and ACTs.

We have a Marine Reserve Committee and we have an Ad Hoc
Restoration Committee, which the Ad Hoc Restoration is kind of
centered toward the Deepwater Horizon restoration funds, and
most of that money seems to be going into trying to get a better
understanding of the ecosystem of the Gulf of Mexico, what are
the ecosystem processes, what can we do to manage more from an ecosystem standpoint, and we’ve seen presentations by NMFS on that.

It seems appropriate, at this time, to create an Ecosystem Committee that would include the Marine Reserve Committee and the Ad Hoc Restoration Committee and call that the Ecosystem Committee and then have the Sustainable Fisheries Committee be just the Sustainable Fisheries Committee.

Marine Reserves, we have used them for spawning aggregation protections. Mostly, they have been used for protecting coral. We have been calling our coral protected areas habitat areas of particular concern, and, when you see the Habitat/Coral Committee agenda and what we do there, you will see the linkages, from an ecosystem standpoint.

I guess two motions, if the committee is interested. One would be if you agree to combine the Artificial Reef Committee with the Habitat Committee and have that continue as a Habitat Committee. Two would be to split -- A second motion would be to split Sustainable and Ecosystem into two committees and let the Ecosystem Committee be merged with the Marine Reserves and the Ad Hoc Restoration as an Ecosystem Committee. I see this as two potential motions, if you want to go forward. If you don’t want to make any changes to the committees, then no motion is necessary.

CHAIRMAN BOSARGE: All right, committee. Do we have any comments or thoughts on the combination and/or the separation that’s been mentioned? Robin.

MR. RIECHERS: I am certainly not opposed to the notion of trying to maybe alter our committee structure so that it provides enough umbrella to allow us to continue to do the business that we’re doing under there, but it also provides some efficiencies.

In the context of efficiencies, as I heard it, Doug, we had several in the first discussion, but what are we basically changing? Is it five to two? I was trying to do a count here as you went through it, but --

EXECUTIVE DIRECTOR GREGORY: I think we will be reducing the committees by two. We will lose the Artificial Reef Committee, and, since we’re splitting up Sustainable and Ecosystem, but then putting two into Ecosystem, we’re just losing one of those, and so I think we’re losing two committees, in general, and
creating a new -- We’re losing three, but we’re creating a new one.

MR. RIECHERS: Okay. Again, I am certainly fine with this, though I will say there are some people around the table that have, in the past, been more attuned to making sure they could see a particular area of expertise, and one of those has been artificial reefs in the past. As we discussed and tried to think about the Deepwater Horizon pots of money and making sure that we were trying to be involved in those, at least from a grants perspective, the Ad Hoc Restoration was formed in that respect.

I am fine with these changes, but I would just suggest that if some other people around the table have some particular areas of interest that they might want to speak up. Otherwise, I mean this makes sense to me, if we can merge some committees that really have like functions or very similar roles. It would make sense to me.

CHAIRMAN BOSARGE: All right. Any other feedback from the committee? Doug, as you retitle them -- For example, what Robin was talking about with the Artificial Reef and the Habitat, I don’t know if you had already decided on, when you merge those two, if that’s the route we decide to go, how it will be titled, but, if there was a certain expertise that we were trying to get from that group, maybe the title of that committee would be important, to make sure that it stands out to anyone that may be applying, to make sure that we are garnering those applicants.

EXECUTIVE DIRECTOR GREGORY: I can bring to the council that information, and the council as a whole can vote on it, up or down. I am not comfortable making changes like this without guidance from the council, for sure. I mean these are your committees.

CHAIRMAN BOSARGE: Robin.

MR. RIECHERS: As I recall, and I can’t remember, Doug, when we last redid the SOPPs, I thought we tried to get away from naming committees. For a while, they were in our SOPPs, but I thought we had created a situation where we weren’t naming them in the SOPPs, so that we wouldn’t have to change the SOPPs every time we decided to change a committee. Kevin is thinking, I can tell, as well. Did we do that or did we not do that? I just don’t remember.

EXECUTIVE DIRECTOR GREGORY: In our SOPPs, the administrative
committees are listed with a paragraph description. The
management committees are not. I think, initially, the
management committees of the council were species-specific, but
now we’ve got Marine Reserves and Ad Hoc Restoration. We’ve got
other committees under management rather than administrative
that don’t have descriptions in our SOPPs.

As far as the SOPPs go, we are reviewing come changes to the
administrative handbook at this meeting. My plan is to, each
year, alternate revising or relooking at the SOPPs and the
handbook, and so I was going to start looking at the SOPPs again
say in January or next year, for us to look at that.

We can consider making those changes at the time, as far as how
we list the committees or describe them, but, for this
particular change -- Because, between August and October, the
Chair is going to be assigning people to committee, and I would
be more comfortable with a motion from the council, and I would
be glad to craft a draft motion for full council consideration,
if we don’t have time to really work on it here.

CHAIRMAN BOSARGE: Robin.

MR. RIECHERS: I will go down that road, if you want us to,
Madam Chair, assuming everyone else -- We haven’t heard anyone
against it at this point, and so maybe we will flush them out
with a motion, if we actually do that. If you want me to make a
motion, I will at least try to do the first one, based on what
I’ve heard Doug and what I’ve been able to read in the
consolidation of committees report here and then we will go from
there, but I’m going to do them one at a time, just because I
want to make sure I’m getting them correct.

CHAIRMAN BOSARGE: All right. Go ahead.

MR. RIECHERS: I would move that we merge the Habitat and
Artificial Reef Committees into a single Habitat Protection and
Restoration Committee. I am making that subtle change in Doug’s
wording for Restoration, to identify artificial reefs there as
well. I am trying to recognize the artificial reef side of that
as well as we merge those two.

CHAIRMAN BOSARGE: We have a motion on the board. Do we have a
second? It’s seconded. I have a question, because we are
talking about a lot of different committees. Doug, let me recap
what you said. You’re going to combine Artificial Reef and
Habitat, which that’s what this motion speaks to. Then you were
talking about separating Sustainability and Ecosystem, but then,
under Ecosystem, and I am coming to a point, Ecosystem, you were
going to merge into the Ecosystem the Marine Reserves and the Ad
Hoc Restoration. I only put that -- I am okay with Restoration,
but I just want to make sure, when we get to the next motion,
that we don’t have two committees that end up with restoration
in the name, because I think the Ad Hoc Restoration is going to
be folded into the Ecosystem.

EXECUTIVE DIRECTOR GREGORY: That’s the way I proposed it, but
it really could go either way. I mean, even Habitat Protection
and Ecosystem eventually are going to be overlapping quite a
bit, but we’ve had the Habitat Protection Committee since the
beginning of the council, and so I think that should stay, for
continuity purposes.

CHAIRMAN BOSARGE: Robin.

MR. RIECHERS: I see the point you’re making, Madam Chair. The
reality of -- I don’t know that I want to keep a name just
because we’ve had it since the council started, but if we think
there is too much overlap between the Ecosystem Committee, which
would be the second set of motions we’re about to make, we ought
to think, Doug, about merging those as well.

Again, I don’t see that much of a difference between the
Ecosystem and the Habitat Protection, and whether we call it
Habitat Protection and Restoration, I will let others decide
that. If you don’t like this wording, please offer some edits
here, but if the only reason we’re keeping them is because we’ve
had them, we need to think about that differently.

CHAIRMAN BOSARGE: Okay. Any further discussion on the motion?
Any opposition to the motion? Seeing none, the motion carries.

MR. RIECHERS: I will try the second motion now, and it will be
simple. It basically is to move that we divide the Sustainable
Fisheries and Ecosystem Committee into two -- Let’s just say to
divide the Sustainable Fisheries and Ecosystem and have a
Sustainable Fisheries Committee and an Ecosystem Committee that
contains the subject areas of marine reserves, ad hoc
restoration, and ecosystem.

Technically, we don’t have a current Ecosystem Committee,
because it’s Sustainable and Ecosystem, but do we understand
what we’re meaning here, since it’s topical areas?

CHAIRMAN BOSARGE: Okay. Robin, is that your motion? Okay. We
have a motion on the board. Do we have a second to the motion?
Dr. Lucas seconds. Just for clarification for the future, in case we look back on this motion and try and remember exactly what we were doing, we’re going to divide the current committee, Sustainable Fisheries and Ecosystem, into two committees, Sustainable Fisheries and an Ecosystem Committee, which we haven’t had before. Then that Ecosystem Committee that is now standing alone, will contain subject areas for the marine reserves, ad hoc restoration, and the current ecosystem. Is that your intent, Robin?

MR. RIECHERS: That’s my intent, assuming Doug answers this in a way that I can stick with that motion. Doug, when we have Sustainable Fisheries left as a stand-alone committee, what do we envision there, since we have so many species or grouping of fisheries committees, if you will, Reef Fish, Coastal Migratory Pelagics, et cetera, and so how do you see this as different as a committee as opposed to those committees?

EXECUTIVE DIRECTOR GREGORY: Just to give Steven a heads-up, I will ask him to answer the question, but I think it came about when we did the Generic ACL Amendment and established ACLs and ACTs across the board, and I think that’s at least Steven’s intent going forward, to use that committee for the more generic topics, like MSST, MSY proxies, even though we will still talk about those things in particular committees.

MR. RIECHERS: Steven, please go ahead, but it’s basically a notion of those things that are cross-cutting to all of those different species and/or management plans, et cetera.

MR. ATRAN: Yes, I agree with what Doug said. Things we’re working on right now include a lot of generic information, like MSY proxies in general and revisions to the ABC control rule. Those are two items that we have on the docket right now.

CHAIRMAN BOSARGE: All right. Were you good with Doug’s answer? Are you going to leave your motion as it stands?

MR. RIECHERS: Yes.

CHAIRMAN BOSARGE: Okay. Any further discussion on the motion on the board? Is there any opposition to the motion? Seeing none, the motion carries. Doug, is that all you had under that agenda item now?

EXECUTIVE DIRECTOR GREGORY: Yes, ma’am.

CHAIRMAN BOSARGE: Okay. That will take us to next-to-last
agenda item, Review of the Administrative Handbook Revisions. Tab G, Number 9 is our document for this agenda item, and, Doug, you’re going to lead us through this one as well, right?

REVIEW OF ADMINISTRATIVE HANDBOOK REVISIONS

EXECUTIVE DIRECTOR GREGORY: Okay. Throughout the document, you will see track changes. A lot of those are minor editorial clarifications of stuff that there’s been a change in how things are identified or defined by NOAA or the federal government, and those are just there in track changes.

What I have tried to identify for discussion, and we can discuss any of those that anybody sees at any time, but I am not going to go through each and every one of them. I want to just highlight the ones that I have identified as kind of major or important to staff or to the council, and that begins on page 7.

We had, in the handbook, the specification of providing two annual bonuses to staff. One was called a performance bonus, which was up to each supervisor to give to a staff person that could not exceed -- Their bonuses could not exceed 2 percent of what the supervisor had oversight on, personnel budget-wise. Then we had a merit bonus that had a limit of $4,000 per person.

I found the two to be very confusing, and, to me, duplicative. A year or so ago, and this is without talking to the council or whatever, I started just giving the performance bonus to employees that were not qualified for a GS step increase that year, because it seemed duplicative to give somebody a raise because of good performance and then turn around and give them a bonus for the same good performance.

The merit increase is for things that people have done during that year that go above and beyond their basic job description, and so I want to kind of combine the two into one. It was my assessment that $4,000 per person max is probably a good limit. The other one didn’t have a specific dollar amount limit, and it was confusing to calculate in the first place.

I want to make that change, and, since that’s in the administrative handbook, I wanted to bring it to your attention. Basically, I want to remove the annual performance bonus and just have a merit bonus annually, at the end of the year, and I would like motions on each of these major items. If the committee agrees to make a change, we need a motion. If the committee doesn’t want to make a change to the handbook, then no motion is needed.
CHAIRMAN BOSARGE: All right, committee. Is there any discussion on the change that Doug has proposed for the merit/performance awards? Dr. Dana.

DR. PAMELA DANA: I don’t know that this necessarily -- I mean it’s related, but it doesn’t necessarily depend on -- Earlier, we were talking about budgets, annual budgets from 2016 through 2019. On the staffing line, we have overruns, and I am just wondering, is it -- When we’re looking at bonuses, how common are bonuses, in general, in all fields, but also, if we’re trying to stay within budgets and we’re talking about bonuses, that is just not jibing, and I don’t know.

EXECUTIVE DIRECTOR GREGORY: I review the bonuses with the Chair each year. Since I have been here, no one has gotten the maximum, that I can recall. I don’t know if that comes out of the salary line, and, without looking at the specific column and rows in the budget pages you’re talking about, I can’t really relate the two right now.

CHAIRMAN BOSARGE: All right. Any other feedback for Doug on this change? Doug, this would essentially streamline and somewhat slightly minimize, I guess, the bonuses that would be granted to staff, because they wouldn’t be eligible for two different bonuses, but simply one that sort of encompasses the process for the two that were there before?

EXECUTIVE DIRECTOR GREGORY: Correct. I mean this is a reduction in the amount of bonus that staff can get. The deficits that you’re seeing in the projected budgets are because of us changing our projections from a 10 percent increase per year to 3 percent. We pretty much did that across the board, and so we’ve got deficits in all the personnel categories, council, staff, the SSC, but those are not really operating budgets. We will bring you the operating budget in April and look at it at that point in time.

I don’t think the deficits that we’re seeing in the projections for 2017, 2018, and 2019 right now are anything that we specifically need to be concerned about, because we have surpluses from last year and this year that will cover those, according to our projections.

CHAIRMAN BOSARGE: Dr. Dana.

DR. DANA: I appreciate that you’re looking to streamline, and I think what you’ve proposed makes sense, but I am just saying, in
general, how common these days are bonuses? I mean, state representatives and people that work for the government, do they get bonuses? I am not trying to make a joke really, but I am just wondering. It’s a luxury, certainly. That’s just a comment.

CHAIRMAN BOSARGE: Robin.

MR. RIECHERS: I think what Pam is asking is the frequency that these have been given and the numbers of individuals who have received these over the last three years or two years or whatever that case may be, given the context of this. I don’t expect that you have that right at your fingertips, but maybe you do. Am I right, Pam, that that’s kind of the question that you’re getting at, so that, as we move forward, we can actually maybe think about this, in addition to what our overall budget picture looks like?

EXECUTIVE DIRECTOR GREGORY: Right, we do, and I think -- I don’t know if it says it here, but, in some places -- It does. It says these bonuses are contingent upon the availability of funds.

MR. RIECHERS: If I may, Doug, that is -- I appreciate that, but I think there is a more in-depth question going on here, which is how often, number of people receiving it, and how that plays into our overall budget as we move forward. I think we’ve had that request, and we probably ought to be able to get that information. It certainly is reasonable to ask for, as we look at budgets.

EXECUTIVE DIRECTOR GREGORY: Right, and we will do that in April with the 2017 budget. I think we do that, but I haven’t paid that much attention to it in the April meetings, but I think it is included in the budgets and it’s budgeted, and so we will bring that in April.

MR. RIECHERS: I appreciate you bringing a budget of what you think you’re going to do in the next year, but I think the question deals with what has been going on as well.

EXECUTIVE DIRECTOR GREGORY: Do you want like what the average bonus per year is or do you want -- How far back do you want to go? Or do you want a breakdown of a table of every dollar amount? We’re certainly not going to assign people’s names to those, but I mean do you want an average of each year per person?
MR. RIECHERS: I would say let’s just go back five years, since we’re asking that question, the number of people, rate, and then an average associated with that is good as well, but -- Pam, I didn’t mean to take over your conversation, but does that cover the things that you’re asking for?

DR. DANA: Well, those were what you wanted to ask. The comment that I had was how common are bonuses, period, in just overall other fields and organizations and such? I mean I give a Christmas present to the crew that works for me, but that’s just me. However, how common is it for folks to give bonuses?

CHAIRMAN BOSARGE: Andy and then Robin.

MR. RIECHERS: I can speak for my agency. We have been able to give bonuses in most recent years, though certainly the picture, looking ahead, does not suggest that we are going to be giving nearly as many of those, but, when I say many of those, it’s limited to a very small percentage of overall staff. While we’re fortunate to be able to do that in some instances, it’s not a wholesale, widespread kind of thing.

I think, as a Budget/Personnel Committee or Administrative Policy Committee, and I don’t know where it sits, but I think the information we’re asking for is reasonable information though as well, just to get an idea of how that’s working.

CHAIRMAN BOSARGE: Andy.

MR. STRELCHECK: NOAA has a 1 percent cap for bonus awards, so 1 percent of our salaries can go toward awards, and that’s all awards across NOAA and not just bonuses, and that’s divvied out then at the Regional Office level.

CHAIRMAN BOSARGE: Okay. Back to the task at hand. Do we have a comfortable feeling with the revisions that have been made to Section 3.4, Merit Awards, to streamline the way that those are processed? If we do feel comfortable with that change, then we would need to make a motion accepting that change, and so if the committee so wills -- Robin.

MR. RIECHERS: I would move that we accept the language as proposed in 3.4, Merit Awards, in the administrative handbook, Tab G-9.

CHAIRMAN BOSARGE: Robin, is that your motion?

MR. RIECHERS: Yes, it is.
CHAIRMAN BOSARGE: All right. We have a motion on the board. Do we have a second to the motion? Is everybody paying attention?

DR. LUCAS: I will second it.

CHAIRMAN BOSARGE: Okay. Dr. Lucas seconds the motion. Is there any discussion on the motion on the board? Is there any opposition to the motion? Seeing none, the motion carries. Doug, do you want to take us along to your next revision?

EXECUTIVE DIRECTOR GREGORY: Okay. Let’s skip over to page 9.

MR. RIECHERS: I don’t know how you’re planning on doing this, but there was a change that I would call a significant change up on page 3. Are you going to come back to that or how are you planning to deal with that?

EXECUTIVE DIRECTOR GREGORY: We can do that now, if you like. I was not planning to come back to that.

MR. RIECHERS: I have read this, and I would offer some editorial changes to it, but I will let Doug go ahead and certainly explain what he wants to explain about that being added, and then we will do the best we can here to work through either this language or I will offer some different language.

EXECUTIVE DIRECTOR GREGORY: Yes, I apologize. That is significant. I was trying to put in here a procedure for dealing with workplace conflicts, where it’s giving guidance to the staff that you work through your supervisor and you work through the hierarchy and where does that hierarchy end.

The final decision regarding personnel issues rests with the Executive Director. The Executive Director may consult with the Council Chair, Vice Chair, Personnel Committee Chair, and Personnel Committee Vice Chair to determine the course of action. If deemed necessary, the Council Chair may convene the Personnel Committee to review the facts in the case, to determine whether proper processes were followed.

CHAIRMAN BOSARGE: Robin.

MR. RIECHERS: Doug, I certainly understand the need to clarify this in the administrative handbook, and I certainly don’t want to indicate that in any way that we don’t want you to have those final decisions, but there is a couple of editorial changes that
I would make here that I think may help support you as you make those.

What I would say is that after -- I don’t know how to do this, because it’s a long piece of language here, but I will make it as a motion or I can just talk about it and let the committee members speak up. Then, if we want to try to do that, we can then make it as a motion, and so probably I will do the latter. Let me speak to it.

I think the final decision regarding personnel issues rests with the Executive Director after consult with the Council Chair, Vice Chair, Personnel Committee Chair and Personnel Committee Vice Chair, and I think that’s truly probably what has been going on if an issue rises to that level and is not solved down at the staff level.

Then, in addition, what I would say is that we review the issue. If deemed necessary, the Council Chair may convene the Personnel Committee to review the issue, and stop the sentence right there, because I think that’s the decision of the Council Chair and you, Doug, if you want to have that broader audience with the Personnel Committee, but it’s really to review the issue. It’s not to review what happened after the fact. It’s to go over those issues. Those would be the two editorial changes that I would make there.

EXECUTIVE DIRECTOR GREGORY: If there is no objection, we will just do track changes for that paragraph and take it to the council as a committee motion.

CHAIRMAN BOSARGE: In other words, so we can see it in writing at full council. I think that would be helpful. Thank you. All right. Then we will skip back over to page 9 now, where we were headed, Doug.

EXECUTIVE DIRECTOR GREGORY: On page 9, the red paragraphs, I don’t know why the underlining didn’t come through on all of this, but, unless there’s a strikethrough, the red lettering are additions to the handbook. Normally, it’s underlined. I guess, in translating a Word document to PDF, the underline got lost.

At the middle of the page, right now, the council policy is to allow staff to accumulate annual leave without limit. That policy was put in place sometime around 2002, and, from the best I can determine from looking at the minutes and committee reports at that time, the council allowed that because the benefits the council had for staff were much less than the
benefits that National Marine Fisheries Service had, and so this was kind of a way of making up for that lack of benefits, by allowing annual leave to be accrued without limit.

NOAA has 240-hour annual limit on their annual leave. If you have anything over 240 hours at the end of the year, you lose it. What I am proposing to do, because we have -- This is tied into the next paragraph down. We're in a situation now where we have at least seven staff that have more than 240 hours on the books. I have four staff that have more than 480 and two staff with more than 1,000.

It creates a situation in that we have been, without having it in writing, we've been letting staff -- I don’t know what the state agencies or NMFS does with regard to this, but we’ve been letting staff use their accrued annual leave to be paid out biweekly until the annual leave is exhausted, and I think we’ve been doing that consistently.

With the increase in the amount of annual leave that has been accumulated, that means someone stays on our payroll for up to a year or more after they have left us, and they continue to get health insurance and life insurance. It’s not a major cost. It costs about $30,000 a year, if someone had enough annual leave to take them through a whole year, and so it’s not a major cost, but it does keep them on the books, in essence. Nobody is terminated as long as you are getting a salary.

We put money aside, and NOAA allows us to do this. We have a bank account where we put money into that account to pay for people’s accumulated leave, but there is no money in that account to pay for their 401K contributions or their health insurance, and so it can become a burden, in the future. It’s not a burden right now.

I was proposing two options here, to put a cap of 240 or 480 hours on our annual leave. Then any excess to that at the end of the year would roll over to sick leave, so staff wouldn’t lose it. I mean this is a big change, to go from allowing staff to accumulate leave without limit to putting a cap on the leave, and so I wanted to put the two options before you of the 240, which the only reason that’s there is because that’s what NMFS has.

I know the states have different hours. I was with the State of Florida, and I think we had 532 hours or something like that that we could accumulate, or maybe that was a university thing, and so it varies from agency to agency.
What we’re talking about is 240 hours is basically six weeks of paid leave. It’s not a long time. It’s not near what a year is. 480 hours is twelve weeks of paid leave, or basically three months. We have no limit on sick leave, and I don’t think any agency does. An employee does not get sick leave when they terminate unless they take an early retirement or a regular retirement termination. Then they get one-half of their sick leave, up to a limit that’s specified in the handbook.

There are two aspects to this. They kind of intertwine, but the first part is to put a limit on the amount of annual leave that can be accumulated in a year, with the difference, the excess, rolling over to sick leave. Should that limit be 240 hours or 480 hours, given that we now do not have a limit at all? I don’t have to tell you how staff feels about this.

CHAIRMAN BOSARGE: Okay. Any feedback from the committee on this track change? Robin.

MR. RIECHERS: Doug, do you have a recommendation of the 240 or 480, if you’ve looked across other agencies or anything like that? I certainly understand how staff, given where we are, how they might have some issues with this, but this is a financial liability associated with the council, and certainly, as you’re doing this, you’re not hurting staff, to the point that you basically are grandfathering in everyone right now where they are, and so it just impedes their ability to accrue moving into the future to higher rates, but you’re putting them at the same level as to where they are right now.

These are the kinds of considerations that, as a body, we’ve got to consider when you think about financial liabilities moving forward, and so I am not opposed to looking at this, but I would -- Is there a recommendation of 240 or 480? You’ve got two up there.

EXECUTIVE DIRECTOR GREGORY: Yes, I bolded the 480. That would be my recommendation, and I forgot to mention about the grandfathering. The way this will work is whatever leave we have at the end of this year we will keep. Then we will start the clock on January 1 with four hours per pay period or six hours per pay period or eight hours per pay period, and let’s take my instance.

I get six hours per pay period. If I want to take a two-week vacation or a week of vacation at the beginning of January, that six hours of that pay period would go toward that vacation and
then so would the grandfathered amount. Then that grandfathered amount is reduced as it’s used. It doesn’t stay at that level that it’s at now, and so it will be reduced as it’s used. I would recommend the 480 hours and then have any excess hours roll over to sick leave.

CHAIRMAN BOSARGE: Dr. Dana.

DR. DANA: I think the industry standard -- I mean the Gulf Council has been very generous, but the industry standard is 240 hours of annual leave, and many places is use-it-or-lose-it and it doesn’t necessarily roll over into a sick leave. I guess, along the lines of what NOAA has is more of an industry standard.

EXECUTIVE DIRECTOR GREGORY: I’m suggesting that it rolls over to sick leave because that’s what the State of Florida did for me when I left. Any excess hours, and I think it was five-hundred-and-some-hours, at the end of the year would roll over to sick leave automatically, and so that’s where I got that idea from.

CHAIRMAN BOSARGE: Doug Boyd.

MR. DOUG BOYD: Thank you, Madam Chairman. I’m not on the committee, but I do have a question. What is your definition of leave? If we’re talking about 240 or 480, what is the definition of leave that accumulates?

EXECUTIVE DIRECTOR GREGORY: Annual leave and vacation leave.

MR. BOYD: All right. With that definition, we have staff who have accumulated 1,000 hours, which means that they probably don’t take a vacation every year at all, to get that much leave, and so we have someone who has the ability or the right to take two weeks or three weeks, but chooses not to, and the council does not make it mandatory that they take leave for a certain amount of time each year, and is that correct?

EXECUTIVE DIRECTOR GREGORY: Correct.

MR. BOYD: Thank you.

CHAIRMAN BOSARGE: I should probably know the answer to this, but, as it rolls over to sick leave, then there is not a cap on the sick leave, correct? I am assuming the difference would be when you leave the council and how it’s handled, sick leave versus paid time off, annual leave?
EXECUTIVE DIRECTOR GREGORY: Exactly. Sick leave has no limit, and it is handled differently when you leave council employment, depending on whether you are in retirement or not. If you’re not in a retirement program, you don’t get any of your sick leave to go with you, but you do get all of your annual leave to go with you.

CHAIRMAN BOSARGE: Martha and then Myron.

MS. GUYAS: This question may muddy the waters, but do you all have comp time? How do you handle that? I would assume that people are using their comp time and not vacation and that’s why people aren’t going on vacation?

EXECUTIVE DIRECTOR GREGORY: In some instances. In other instances, people just don’t take much vacation time. I take probably -- I am not the top vacation person, but I take a lot of time, more than the average person, because of going back and forth to Key West, but, yes, some people don’t take much vacation at all.

MS. GUYAS: So does your comp -- It rolls over from pay period to pay period and it’s not just if I work twenty hours today that I can work less hours tomorrow and I’m all evened out? That’s how my time sheet works. I don’t carry it over pay period to pay period, but I’m just curious.

EXECUTIVE DIRECTOR GREGORY: We were following the NMFS approach to comp time, and they had something that said your comp time can stay on the books for up to six weeks. Our staff was tracking when each person got an hour of comp time. One of the changes I made when we first revised the handbook was to do away with that and put a cap of 120 hours, just so it would reduce the amount of paperwork and tracking we had to do.

We have a limit of 120 hours of comp time that has only been exceeded one time, when we had a flurry of public hearings and we were shorthanded with administrative staff, and so, yes, we can accumulate comp time, and we follow the NMFS procedure on that as closely as possible. They do have something called credit time, where if you only work six hours one day and you want to work ten hours the next day to make it up within the pay period, you can do that also.

CHAIRMAN BOSARGE: I had Myron next.

MR. FISCHER: Thank you, Madam Chair. My question is were the
other states all polled on how they handle this type of situation? In Louisiana, it’s handled much differently. I think it’s a good system. I’m in it. This is much more liberal. I might switch to the Gulf Council before I retire, but I just wonder if the other states were consulted in how this fits in with the five states. Being this is the Gulf Council managing the fisheries in the five states, I think it should be not only similar to NOAA, but what the states do.

EXECUTIVE DIRECTOR GREGORY: No, I did not. I just automatically look at the way NOAA does things and start from there, because we have always kind of been considered federal employees or federal-like employees, contractors, and the council apparently, because of the policy of having unlimited leave, have always tried to make our benefits comparable to federal benefits.

We had an analysis that was presented to the council I think in January of 2015 that did show that we now have comparable benefits to National Marine Fisheries Service, and that is my rationale for putting a cap on leave and not allowing it to grow without limit, because we now have comparable benefits.

CHAIRMAN BOSARGE: I had Johnny next.

MR. GREENE: I think sick leave would be the appropriate place, because if you didn’t take a vacation from this mess over a year, it should be sick. I often struggle with the five or six weeks in between the meetings.

Listening to the conversation, and not having a corporate background, I am just kind of looking at it from maybe a 10,000-foot view that some people aren’t. We put this policy in place in 2002, or thereabouts, when we weren’t able to step up to the plate and offer them maybe something that would be considered competitive, but the reality is that I think we made a deal with them.

Going from 1,000 to 480, that’s less than half, and so, potentially, what we should do is, if someone has 1,000 hours and we’re looking at this 480, I think we made a deal with them, and I think they should be grandfathered in, and I think it should move as Executive Director Gregory said.

If you want to look at making a change, perhaps what you need to do is look at a new hire. At this point, if you’re hired in, you’re going to come in and you’re going to be at this 240, and I think that sounds reasonable and rational. You’re not going
back on anybody and you’re making a deal. If they accept it, if they can handle the 240, then I think that’s fine, but I think that’s our only way out of this particular situation.

CHAIRMAN BOSARGE: Doug, it sounds like we’ve had some good discussion and there’s been a couple of options laid out. We have about fifteen more minutes left in this committee, and I know you have some other things you want to get to. Do you think maybe you could bring us back some more information on this one? Myron mentioned what the different states may do, and Johnny mentioned the fact that some of this went into place for us to be competitive, and maybe we get a good overview and maybe get a little deeper into this one at a later date.

EXECUTIVE DIRECTOR GREGORY: I can bring this back in October. It wasn’t anticipated to make a change like this until January anyway.

CHAIRMAN BOSARGE: I think that sounds good. Do you want to take us to our next change?

EXECUTIVE DIRECTOR GREGORY: The next thing is again on page 9, and I alluded to it. We have had this policy, and it hasn’t been in the handbook, and, again, I don’t know what the states do, and I will research that with states, of how to handle the accumulated annual leave when a person decides to leave employment with the council.

Right now, annual leave is allowed. It’s the employee’s choice to either get it in a lump sum, if they want it, or to run it out completely as biweekly payments. As long as they are getting biweekly payments, they are still on the payroll and they are still getting health insurance, and that’s the main thing people are attracted to.

Whether you get a lump sum or you run it out biweekly, it does not affect your retirement contribution. It’s the same no matter what. You could argue that allowing it to run out over a couple of years has less of a direct impact on the budget at that point in time. The leave itself is at a bank, and so that doesn’t affect the council, and, like I said, on average, it’s about $30,000 a year of cost to the council if somebody runs out their annual leave.

What I am proposing to change here is, instead of letting the employee choose how they want their annual leave, I said to the council, but it would be my decision, or the Executive Director’s decision, as to how the annual leave is handled.
Again, staff is not happy with the change in who makes that decision, and so that’s on page 9 as well, and I can research the states, if you want, and come back in October with that one also.

CHAIRMAN BOSARGE: Kevin.

MR. ANSON: Thank you. I’m not on your committee, but, Doug, you made a comment earlier that you have this set-aside or you’re able to deposit money into a side account to cover some of these expenses. In that account, if you were talking specifically to the staff that have excessive amounts or high amounts of annual leave, and if they chose to take the lump-sum distribution, is there enough money in that account to cover that scenario, or is it only for a situation where it’s spread out over time and you can kind of absorb that over maybe a couple of years in the budget?

EXECUTIVE DIRECTOR GREGORY: We brought that account up to par with our end of the five-year grant money in 2014. That money is to cover the salary only. It doesn’t cover retirement costs or health insurance costs. That would have to come out of our operating budget, and, again, as far as the retirement costs go, it doesn’t matter if it’s a lump sum or not. It’s the same amount of money.

CHAIRMAN BOSARGE: Mara.

MS. LEVY: Just a question, based on the language. We’re talking about the part that says, upon termination, unused annual leave will either be paid in a lump sum or as biweekly payments, and then the other sentence that says the biweekly payment may continue until the leave is exhausted or discontinued earlier, if deemed beneficial to the council, but it’s not really clear to me, from these two sentences, who is making the decision, at least initially, about how to do it and then who is making the decision that it’s beneficial to the council to discontinue the biweekly payments.

Also, I mean I don’t know that you need to be super specific, but what does “deemed beneficial” mean? If you’re really setting a standard, it’s not clear what the standard is, and so I’m not sure if you don’t want to set a standard or maybe you want to talk about that.

EXECUTIVE DIRECTOR GREGORY: It’s not clear, and I would get with you on the wording. That would be a decision that I would say the Executive Director would make, with assistance from the
Administrative Officer and Deputy Director, and it depends on what the budget situation is at the time. Like I said, to allow someone to continue on health insurance for a year costs about $30,000.

If that was a factor in our budget, then I thought it should be the management’s decision whether to let that happen or to pay it in a lump sum and save that $30,000, rather than have it as an employee decision.

The other thing I didn’t research is I assume we have the authority to make those decisions and it’s not a right of the employee as to how to handle it, and, again, I don’t know how the other states do it.

CHAIRMAN BOSARGE: Robin.

MR. RIECHERS: Mara, I think you made some of the points I wanted to make. I think there is some language here that just we need to clarify as we address this, because, as I’m reading this, Doug, if you allow them to basically burn out their leave, they are still employed. I think we just need to clarify that.

As far as how the other states do it, in the State of Texas, we have got the clause that you’re suggesting with your last sentence, basically, where if someone is wanting to leave employment, we basically can determine whether we do the lump sum or whether we do the burn-out notion, depending on what they ask us to do. Obviously we will consider it, but we have the final decision, as far as the state goes.

EXECUTIVE DIRECTOR GREGORY: That was what I was trying to get at, just who makes that decision. Again, I can consult with the states to see how they handle this and bring it back.

CHAIRMAN BOSARGE: Okay. Any more feedback on that item? All right. Then continue.

EXECUTIVE DIRECTOR GREGORY: On page 12, we had some clarification on how we handle family and medical leave, under the Family and Medical Leave Act. One of the things you need to do is specify how you count your twelve months of leave. You can do it one of three ways. The federal government has determined that, even though we’re an office of less than fifty employees, we are required to follow FMLA.

Under FMLA, every twelve months, every employee has the option of taking twelve weeks of protected leave if they fall within
the guidelines of illness or maternity under FMLA. Now, protected leave means you don’t lose your job for being gone for twelve weeks, three months.

What we do is we let people use their annual leave, or we have them use their annual leave, until it’s exhausted, and then they go on leave without pay. The twelve-month period can either start at the beginning of each calendar year or it can start the date that someone applies for FMLA or the date that they end it, and the easiest approach to this on management, or a company, is to start the FMLA accounting period on the date a person applies for FMLA, and so we’re just making that very clear in the handbook that that’s what we’re doing, and that’s the way we’ve been handling FMLA, and so we’re just putting it in writing right now.

That doesn’t require a motion of any kind, unless you want to change it from something different, because some of this is I’m just trying to get into the handbook what our process or procedures are that haven’t been written down before, but I will be glad to answer any questions.

CHAIRMAN BOSARGE: Anybody have a question or feedback for Doug on that? Okay, Doug, go ahead.

EXECUTIVE DIRECTOR GREGORY: The next item is on page 14. Again, it’s explaining or clarifying what our life insurance benefit is. The way life insurance is provided to the council staff was changed about four or five years ago, but, when we rewrote the handbook in 2014, we didn’t catch it and put it in there then, and so we’re putting it in there now.

As it reads, staff gets a $50,000 basic life insurance policy, each staff person, and then it’s possibly to buy a supplemental insurance, I think in $20,000 increments. Then, when you get to age sixty-five and older, that insurance drops dramatically, and so we’re just putting this in the handbook as an explanation as to what our current life insurance process is. It’s not a change we’ve made in the last three or four years since I’ve been here. It was something that was done prior to that.

CHAIRMAN BOSARGE: All right. Any questions or feedback for Doug on that clarification? Seeing none, go ahead.

EXECUTIVE DIRECTOR GREGORY: The last item I wanted to bring to your attention was something the -- Up until 2012, the admin staff were hourly employees. They were made exempt employees in 2012. As exempt employees, they were allowed to accumulate comp
time for extra hours. The council staff had always been allowed
to accumulate comp time for travel hours, like on the weekend or
at night.

When I came onboard, I said, well, let’s just -- Since the admin
staff are still claiming comp time as an exempt employee, let’s
let all employees claim comp time for working more than forty
hours a week, which seems to be in keeping with what other
agencies do, but, in this instance, I felt like it was -- Since
we go to professional development meetings, conferences,
scientific conferences, and we try to encourage and have the
funds for every staff person to go to one a year, and sometimes
those meetings extend over the weekend and stuff, I just felt
like, since we’re providing this service or this benefit for the
staff, to remove the ability to accrue comp time while they’re
on professional development seemed a reasonable thing to do.

It’s not a major cost savings or anything, but it just seemed an
appropriate thing to do, and we haven’t really written out that
before, and so I just wanted to bring that to your attention.
If you think that’s excessive and different from the way the
states do it, then we don’t have to do that. We can continue to
allow people to accrue comp time when they’re on a conference
that we are paying for as authorized travel.

CHAIRMAN BOSARGE: Any questions or feedback for Doug on that
amendment? All right. Seeing none, go ahead.

EXECUTIVE DIRECTOR GREGORY: Madam Chair, that’s the end of the
major items that I wanted to bring to the committee’s attention.
If there is anything else that anybody sees in the handbook that
they think we ought to discuss, we can do that at this point.

CHAIRMAN BOSARGE: Any other discussion by the committee? I
don’t see any, and so if you could just bring us back those
items that we asked for a little more analysis on, that would be
wonderful. Mara has a question.

MS. LEVY: I was late in getting my hand up. Are we looking --
Doug, when you were talking about the language on page 16, and
if we are, I would just note that it says “unless the
professional development is required by a supervisor for
remedial purposes, compensatory time may not be accrued”, and do
you want to -- Remedial seems like they’re going because you
have required them to take some training, but what you were
talking about seemed like we’re giving them the opportunity to
advance their knowledge and not that they need it for remedial
purposes.
EXECUTIVE DIRECTOR GREGORY: Correct. I was trying to make that distinction, that if somebody is required to go to say night classes or whatever to learn a particular aspect of the job that we have identified through the evaluation process, they would get comp time for that. If it’s something they just want to do on their own, then we would pay for the class, but we wouldn’t give them comp time for it.

CHAIRMAN BOSARGE: All right. Thank you for that clarification. Any other comments or questions? All right. I believe that takes us to Other Business. Did anybody have anything they wanted to mention in Other Business? Seeing none, we have run through our agenda and this committee has come to a close.

(Whereupon, the meeting adjourned on August 15, 2016.)